



**CITY OF RIVERSIDE
COMMUNITY POLICE REVIEW COMMISSION**

**RESCHEDULED REGULAR MEETING
MINUTES**

**for
July 30, 2001
Art Pick Council Chamber
3900 Main Street, Riverside, CA**

Present: Commissioners Brewer, Egson, Garcia, Gardner, Goldware, Hendrick, Howe, and Huerta

Absent:

Chairperson Howe called the meeting to order at 6:07 p.m. and led the Pledge of Allegiance. Chairperson Howe also asked that a moment of silence be observed for Commissioner Jim Redsecker who passed away on July 5th. He expressed sympathy on behalf of the Commission to Commissioner Jack Brewer, whose 21-year-old grandson was killed in an auto accident.

Motion was made by Commissioner Goldware and seconded by Vice-Chair Brewer to approve the minutes for the June 2001 monthly meeting. Motion was made by Vice-Chair Brewer and seconded by Commissioner Gardner to approve the minutes of the July 12, 2001 case review meeting.

Both motions passed unanimously.

CHAIRPERSON HOWE – Executive Director's report and comments...

EXECUTIVE DIRECTOR'S REPORT & COMMENTS

EXEC. DIR. WILLIAMS – Thank you, Mr. Chair. We have a website, ladies and gentlemen. It is functional. It's up and we're going to add to it. It's still not complete, but it is working. We've had some good comments from those who have visited and read the minutes and this type of thing. So it's...the web address is on the green brochures that we have back there. It's also... you can get to it through the city website. It's kind of difficult. You have to go to the main page and then go to the area where it's the commissions and boards and this type of thing and I believe it's in the city clerks domain, area. There updating the city's website, so we think that we'll be able to get a little more convenient spot once they redo that. But that'll be here and so that's one of the big things – we've got a website going.

For those of you who don't know, I'll kind of give you an update on what the deal is with Jim Redsecker's position. On the 14th of August, the Council is going to meet and discuss or pick one of the individual's... They've got ten names of individuals who didn't make the first cut that brought you folks to the Commission. Those 10 people have been screened and all that when you folks were screened last year, and I don't know how many of them have... The clerk is going to contact them to see how many of them are still interested in the Commission. I heard initially that all of them said they were still interested. I don't know if that's still true or not. I really haven't had much contact or any contact really where that's concerned, so... But the 14th of August they're going to meet and decide who's going to fill his position.

As you know, we have a plaque for Martha Redsecker that we want to present to her. Due to different scheduling conflicts and everything, we're going to present that to her on the council meeting of August 28th. So the last council meeting in August we'll present that plaque to Martha.

Also on the 29th, the police academy, or officers from the Training Division have advised that they want to set up, or are willing to set up, an executive use of force class for us on the Commission. I understand that the chief's been through it and maybe a number of other staff people and it's pretty good. The real wonderful part about that – we don't have to get roughed up. We can sit in the audience and watch and they demonstrate the various things and stuff like that. So it's real nice. You can wear your...

(Someone in audience jokingly asked, "Do you believe that?")

EXEC. DIR. WILLIAMS – Well, you know... I believe almost anything, ya know? Maybe that's a sucker thing – "come on down, Don..." I don't know. But anyhow... we have the date tentatively scheduled for the 29th, which is a Wednesday evening 6 – 10 p.m. - it's a 4-hour block - at the Ben Clarke training center. I think it's off Van Buren, I believe it is, at the auditorium there, so those of you who are interested, get with me so we'll count noses and see how many people will be there. And I'll contact Gloria and Bob and see if they're available and whoever that new person is, we will extend the invitation to them also.

VICE-CHAIR BREWER – Will that council meeting on the 28th – is that a night meeting then, or have they gone to that yet?

EXEC. DIR. WILLIAMS – I think it's a day meeting still, I think. I can double check.

COMMISSIONER EGSON – Would you give me that date again?

EXEC. DIR. WILLIAMS – the 29th of August. We have the 27th – is our regular monthly meeting, 28th is the...the council meeting of the 28th is when we give the plaque to Martha, and then the 29th we have that executive training session.

COMMISSIONER EGSON – And the time for the 29th?

EXEC. DIR. WILLIAMS – 29th, 6pm – 10 pm

CHAIRPERSON HOWE – Phoebe will get something out in writing to us on those meetings...

EXEC. DIR. WILLIAMS – Right, right.

COMMISSIONER HENDRICK – Where is the Ben Clarke Training Center?

CHAIRPERSON HOWE – It's out on Van Buren, just before you get to the cemetery.

EXEC. DIR. WILLIAMS – Yeah, we'll get directions and addresses and all that stuff - your neighborhood, Bill.

COMMISSIONER HENDRICK – yeah...

EXEC. DIR. WILLIAMS – You could probably walk there from your house. And that's all I've got.

CHAIRPERSON HOWE – Okay. Several meetings ago, or just recently maybe, we were asked about the question of placing our Policies & Procedures and other docs in the Riverside County library

system. Our administrative secretary has talked to the library people and that is something that will be done. They approved of it, so they will be getting copies of our documents that we can allow to go out to the public to be placed in the library plus we have everything in the office as well, if anyone wants to come in the office to read that. And also the question was asked a meeting or so ago about the documents, the Policies & Procedures from the Police Department and the Chief has agreed to place those items exclusive not to include anything dealing with officer safety. So they would also be in the libraries.

Okay, Now is the time that we have opportunities for members of the public to address the Commission on any subject matter that is within the Commission's jurisdiction, but is not an item on today's agenda. Each speaker should complete and submit a written request to speak form to the admin clerk.

1st speaker is Art Garcia.

EXEC. DIR. WILLIAMS – Are those... I think most of them are... have agendas...

CHAIRPERSON HOWE – Mary Shelton, No. 5.

Mary Shelton

Hello. As you're aware, I filed a complaint with the police commission in January of 2001 involving my experience with the Internal Affairs Division of the Riverside Police Department. And, as I see here, several policy recommendations for Policy 4.12 have been returned. And I'm a little bit puzzled at the reluctance to implement the policy involving involved supervisors. Now this doesn't talk about supervisors of officers that may or may not have done any misconduct. This is involved supervisors. This is supervisors who ordered officers to do something that might be questionable. These are officers who may have been standing there when it was going on, supervising those officers. These are even sometimes officers who may have been asked by members of the press why they did this action. They defend it. They say it's a traffic crackdown on jaywalkers or something like that. And when these same officers are assigned to investigate the involved officers on a complaint, including themselves, that doesn't exactly foster an environment of trust in the person that's filing the complaint and to a certain extent, society in general. One of the biggest complaints that has been made about the internal affairs process – and it was one of the main themes to the drive to create a form of independent review, like a police commission – is that people have the perception that officers are unable to investigate their own misconduct, that they need some independent oversight over what they are doing. And it's difficult for me to understand that an officer who's involved in a situation can be allowed to investigate their own misconduct. I mean to me it's common sense to maybe say that that person should be not made as the investigator on the complaint. I mean that's just common sense and it's something that maybe when somebody is filling out a complaint in there... that is being done, they'll say "hey, well that's a good decision. That, you know, that means that they're actually probably going to assign somebody else who's a little bit more objective and not involved. And that's a good thing, I think. But I think that it's kind of confusing when you hear that, "Well, we might implement the suggestion. We might not." When it seems to me that, you know, I mean, you should want to put somebody to investigate the complaint that's as far away from the alleged misconduct as possible. So that you don't have that feeling that maybe, well they are investigating themselves. And so I'm a little bit discouraged by this, I guess lack of implementation of this point of this policy recommendation in that it's, you know... I mean it's not clear to people that it should be obvious that you don't assign involved supervisors on complaints. When I was talking to Audrey Wilson outside the courthouse, she told me that when they assign the people to a complaint, the fact that a person may have been involved in it may, that may be a mitigating factor to assign somebody else to it. Now personally, she said afterward, that she didn't think that was the case with what happened on my complaint. But still there was some sort of understanding that that's what was supposed to be done and I don't understand why there's that sort of understanding with some and maybe not with others and it just can't be in writing. Because if somebody in the future, unless it's in writing and they do assign an

officer to investigate himself, there's nothing you can do about it because it's not in policy. It's legal, justified behavior unless it's covered by the policies, apparently, according the Assistant City Manager, well now City Manager Larry Paulsen. So I am just here to express my concerns about that. I think that the towing one is a very important recommendation that needed to be worked on, and the report writing – those are very important ones, but this one is too. I mean it's a basic sense of giving the public some capability of being able to trust that the person assigned to their investigation is not going to be the person involved in it and that especially important now because the final letter I received from the city did not have the assigned investigators name on it. And in the police dept, according to Policy 4.12, they usually do, in the final letter, do list the name of the investigator, what division they are in – whether it's Internal Affairs or Field Operations – and a contact phone number for them, and that concerns me even more, because now if somebody is assigned to investigate themselves, it's going to be a lot harder to know about it because you're not going to be notified by letter that that's what happened. And it's a very important situation because the first way I found out about it with my complaint is that the supervisor that was involved in the complaint started contacting the witnesses on the complaint and I was concerned that there was something improper going on because I had no idea that this officer was being assigned to investigate three... four officers on the complaint, including himself. So I mean, there was that level of fear that he was doing something inappropriate when he probably wasn't. he was probably just doing the investigation. But because he was on the complaint, there's always that sense that, well, maybe he's not doing something appropriate, maybe he's trying to cover his tracks, maybe he's trying to intimidate the witnesses to change their accounts. There's all these questions and issues that come up that really don't need to come up if they assign someone to investigate a complaint that is legitimately separated from the involved incident. Thank you.

CHAIRPERSON HOWE – By the way, the time limit is five minutes. Ms. Shelton got a little extra time because I failed to start the clock. Does anyone want to respond to that?

EXEC. DIR. WILLIAMS – Yeah, I'll just say one thing. The policy re the personnel investigations is being rewritten, so at this point in time it's up in the air what's going to be in there or not.

VICE-CHAIR BREWER – Was it a change in policy not to list the inv officer's name in the letter?

EXEC. DIR. WILLIAMS – I'm sorry, what...

VICE-CHAIR BREWER – On the letter that went out to the complainant, was that a change in policy not listing the...

EXEC. DIR. WILLIAMS – No, I think its just one of the little... you know, right now... you know when the letters were coming from P.D., they had it on there, and now the letters are coming from the City Manager. That's just something that I think...I'm gonna mention it to him. I've made a note to mention it to him. I didn't realize it wasn't happening, but its just... like I said, it's a new process and if we have a few little bumps like this in the road...this is just one of those little bumps. So hopefully we'll get that straightened out and if... you know, personally, I think if the policy says that's what they get, they oughta get that even, you know, and...we'll talk to Paulsen and see what he says about it.

CHAIRPERSON HOWE – Okay. We'll move on to item 6, agenda Item Number 6. Art Garcia will address that.

MR. GARCIA – Thank you Mr. Chairman. Art Garcia, 10120 Medallion Place, City of Riverside. I actually forgot, or failed to put Item 5 on there as well. I have Item 6 and 7 on the request to speak form. Just briefly I wanted to publicly thank and commend Chief Leach and the Police Department for the color guard at Jim Redsecker's funeral, and I know Chani was there as well, and I thought that really made it a special event and it was very moving.

On Item 6, in reference to the CPRC By-laws. I don't know if there's been any revisions since the last time you met. This thing has been hashed over and hashed over. Hopefully tonight the Commission's going to be able to vote on it and there's always, down the road, the opportunity for amendments. You can always amend your by-laws as time goes on, as appropriate. I think the By-laws are fine in regard to its content, as revised. I do still have some concern, though, and as a person that attends many meetings and whatnot, I strongly feel that the chairman of any organization should not cast any motions. The chairman should be able to vote. The chairman is a commissioner. But in the respect of being unbiased and fair – and I addressed it, I believe it was at the May commission meeting – I still feel that an organization's chairperson should not cast motions. The chair can always ask for a motion – and I do this occasionally – from the body to make a motion on a subject and then it's debated and voted on. so, that's the only thing that I have in regards to the By-laws. But I...they are well written and again I thank the Commission for taking the time to come up with these initial by-laws. It's very, very time consuming and I thank the Commission.

VICE-CHAIR BREWER – Mr. Garcia, if...

MR. GARCIA – Yes, commissioner...

VICE-CHAIR BREWER – I believe we have copies back there. Our latest change was to change it in the direction that you wanted that the chair does not make motions now.

MR. GARCIA – Oh, I didn't realize that – that there was that change. I apologize. I didn't... I got them in the mail, and actually, I just came in from the desert this evening from a conference. I haven't... I assumed that it was the same By-laws. So I appreciate... that's the case, I really do appreciate that.

COMMISSIONER GARDNER – If I might... there were two semi-significant changes. That was one, at your suggestion, that the chair not either make or second a motion, but they are allowed to vote.

MR. GARCIA – Yes...

COMMISSIONER GARDNER – And not just to break a tie. They have full voting rights.

MR. GARCIA – Yes...

COMMISSIONER GARDNER – And the second one was...we added some language on... we were getting a little confused on special meetings because, so far, almost all of our special meetings have been nothing but case review meetings. So we drafted some language and added that on case review meetings and it essentially says a case review meeting is for nothing but case review. There won't be public comment. We won't deal with anything but the cases.

MR. GARCIA – That makes sense. Why have the public there for a case review meeting when it's a closed session? And I want to thank the Commission...early on, when you revised your By-laws, I had noted that there was, as far as subpoenaing different information, and I suggested that you include the electronic media – video taping and the audio tapes that the officers carry – to use that as evidence, and I appreciate including that as well. And that shows me that the commission is listening to the public and you're not simply blowin' us off and I do appreciate your taking the comments seriously. Thank you.

CHAIRPERSON HOWE – Mike, did I miss it or did you...you didn't mention what a special meeting is now?

COMMISSIONER GARDNER – A special meeting is still listed as something to be called either by the chair or by five members of the Commission for whatever purpose.

CHAIRPERSON HOWE – Or in the case of a police-involved shooting, officer-involved shooting, then that will be a special meeting. Okay, Mary Shelton, Agenda Item 6.

MS. SHELTON – Hi, I think each draft of the by-laws is getting better and better. I can see a lot of work's been put into this and I know it's a very difficult situation to take input and implement it and so many different people and just fit everything in it as a compromise and things like that. So I'd just like to applaud that you're doing this process even though it's taken so long. You know, it's better to get everything done right than to get it done quickly. I just had a question, and maybe it's a little bit late. I'm wondering about the things in terms of like, things like independent investigations, subpoena being like, I guess five votes for an independent investigation and subpoenas are six votes. And I'm wondering like what you do in situations where you have less than nine people there, because I know that five is a simple majority for nine and six is like two-thirds for nine, and I'm wondering like if you get in a situation where maybe one or two or three people are absent, and you need to make a decision about whether something will be independently investigated or like...or like...or if something needs to be subpoenaed if...that we ever get down the road where that becomes necessary, how are you deal in a situation where you have a different number of people than nine? Because that's happened a couple of times during the past...the meetings during this past year. Thank you.

COMMISSIONER GARDNER – Mr. Chairman, could I respond to that?

CHAIRPERSON HOWE – Go ahead.

COMMISSIONER GARDNER – Let me divide it into two parts. The ordinance that created the commission calls for six affirmative votes from Commission members to issue a subpoena, so we have no flexibility to change that unless we go to council and ask them to change it. At this point, I don't think there's a need to. Our logic on requiring five votes, a majority of the appointed commissioners to institute an independent investigation, was that we did want to get away from having potentially ? three of the nine commissioners determining the course of the Commission. If we run into quorum problems or from not having enough votes to do that, then we can go back and amend the regulations if we need to. I don't think we will. But it would take five votes - you're right – and we'll just have to wait and whether that's a problem. I don't believe it will be.

CHAIRPERSON HOWE – Okay, any other comments?

MR. GARCIA – Mr. Chairman, I just read the By-laws. It's still in here about the chair making and seconding motions.

MS. BEEMAN – There's a contradiction between Page 3 and Page 8.

MR. GARCIA – I'm looking at Page 8, and Page 8 still gives the chair that privilege to vote on every motion and make or second a motion should he or she desire. I do recall, as Chani indicated, it was noted in two places in the By-laws that the chairman could do this – Page 3 and Page 8. Page 8 still has it in there, for your information.

VICE-CHAIR BREWER – If it does, it's just an error. It needs to be retyped.

COMMISSIONER GARDNER – I think when we get to a motion to adopt them, we'll deal with that. Thank you for pointing it out.

MR. GARCIA – Thank you.

COMMISSIONER GOLDWARE – I'd also like to comment on Ms. Shelton's comment. One of the reasons that we felt that there should be at least five votes for the investigation purposes beyond what was already mentioned, is that that's a serious effort beyond what would normally be something

undertaken by the Commission and as a result of that, that's also going to undertake budgetary concerns. And we want to make sure, if we're going to spend city money, that there is a significant agreement upon the commissioners that that process is being followed for the right reasons and not because it's a political reason. I think all of us here, and I'm sure you and others, are comfortable with the fact that a great deal of the reason that we're here today is because of a political community-involved interest and we want to make sure that we're spending the community money in a proper fashion.

CHAIRPERSON HOWE – Okay. Any other comments? Commissioners? Okay, then we'll call on our next speaker, Chani Beeman.

Chani Beeman

Good evening. I want to start by saying "I miss him" (referring to Commissioner Jim Redsecker, who passed away July 5, 2001). And I wanted to point that out because what it means is that you guys are having an affect. You are having an impact. And I come up here and I chew on you a lot and you know, I just wanted to pause and say, you know, each of you as an individual contributes here and it is noted and I want to echo the previous speakers who thanked you for the work on the By-Laws and the Policies & Procedures. It's never an easy task and each version has improved and gotten better and I think... I think this is really something that can go into effect at this point, you know, with the provisions for amendment, and we'd be fine. However, I would be remiss if I did not visit the confidentiality article, Article 9. You know, we will always quibble over closed sessions. We will always quibble over issues of transparency. Personnel records seem pretty clear-cut, but I'm very concerned about the last part of that paragraph that talks about information relating to closed session deliberations of the commission and any other "privileged matters shall be kept confidential to the extent permitted by law."

And you know, this needs to be tightened up, and I want to give you an example. At the special meeting that was held regarding Mr. Phaisouphanh's shooting death, our Chief of Police came to the Commission to offer a report. That report could have been done in closed session, but he chose to do it in open session, in public. And I think that indicates a sensitivity to how important the information that can be open, be open. And I think it caught you guys kind of off-guard a little bit, maybe, and you all went into closed session. That's not good. Wherever possible, this commission needs to be open in its deliberations, in its considerations. And I know it's tough to sit in your seat and go through this very new process publicly. But we're not here to ridicule you. We're not... we want to support you and when you go behind closed doors, you're cutting yourself off from that support. And my concern is that this particular article sort of gives permission to go behind those closed doors too often. And I think the closed-door sessions are already way too frequent – and I understand you're working with state law and that sort of thing – but it also seems like, you know, on one pretty clear-cut case, when you could have stayed out here and done your deliberations publicly, you missed that and I just wanted to call your attention to it. Thank you.

CHAIRPERSON HOWE – Comments anyone?

VICE-CHAIR BREWER – Can we go back to the By-Laws again? Mr. Garcia, Page 3 says it the right way on the By-Law draft.

MR. GARCIA – Page 3 is correct...

VICE-CHAIR BREWER – And then we didn't change it on the others.

MR. GARCIA – On Page 8.

CHAIRPERSON HOWE – Okay. We've reached a point now where the commissioners... any discussion on the By-Laws before we vote to adopt the drafts?

COMMISSIONER GARDNER – I'd like to make a motion to adopt the drafts, as written, with one amendment to Page 8 of the By-Laws, Section 9, and the second sentence presently reads, "meetings shall be conducted informally and the chair is privileged to vote on every motion and make or second a motion should he or she desire." My proposed amendment is to end the sentence after the word "informally," deleting the words "and the chair is privileged to vote on every and make or second a motion should he or she desire." And with that amendment, I would propose adopting both the By-Laws and the Policies & Procedures as presently drafted.

VICE-CHAIR BREWER – I second with the amendment.

CHAIRPERSON HOWE – Discussion?

COMMISSIONER GOLDWARE – Question.

CHAIRPERSON HOWE – Go ahead.

COMMISSIONER GOLDWARE – I may have missed it in my reading of this. Given that we have nine – as soon as Jim's position is replaced – if the chairperson is not voting and we have a tie, how will the tie be broken?

VICE-CHAIR BREWER – No, the chairperson's voting.

COMMISSIONER HENDRICK – He's voting...

COMMISSIONER EGSON – But he can't make a motion.

VICE-CHAIR BREWER – He just doesn't make motions.

COMMISSIONER GOLDWARE – I understand. But if you read this, it says "the chair is privileged to vote on every motion and make or second a motion," are you saying that that... you said at the end "informally" it should stop.

COMMISSIONER GARDNER – I did. But if you look at Page 3, Article 5, Section 2, gives the chair the authority to vote, but not to make or second a motion. The amendment was just to make...

COMMISSIONER GOLDWARE – So you're cutting that portion out by covering it under the first...

COMMISSIONER GARDNER – Right. It was redundant on page 8.

COMMISSIONER GOLDWARE – All right. Thank you.

CHAIRPERSON HOWE – Any other questions? Okay, we're ready to vote. All those in favor say "aye." Opposed same sign. It's carried. (Unanimous vote to adopt the CPRC By-Laws and Policies & Procedures.)

Okay, Item No. 7 - Public comment and Commission discussion on commissioner outreach. Can we have Art Garcia come forward please?

MR. GARCIA – Thank you, Mr. Chairman. In reference to commissioner outreach, I first want to thank Chairman Howe for attending the Mayor's Night Out in June. I am trying to make those meetings as well. I've been asked by the Commission that I sit on – the Parking, Traffic and Streets Commission – to attend as many meetings as possible. All of us commissioners – and that happened to be the meeting where I was privileged to have been asked by the Mayor to moderate that meeting, and I think the public really appreciates having the different representatives from city government – not only staff, but commission

representatives there to discuss their issues. And I think it's important that as many commissioners as possible, if a Mayor's Night Out is in their neighborhood, attend the... that event. And also the chair, of course. Also, I'd like to officially invite the Commission members and the chairman, probably in November, to attend one of my commission meetings. I'm the chairman of the Riverside County Community Action Commission and we deal with issues affecting Riverside County's poor. A number of different programs that we administer, we oversee the Department of Community Action, and I've talked to the Executive Director, Lois Carson, and Lois is very enthusiastic about having the Commission come to one of our commission meetings and share experiences and I think it's a... It's a good mix of people on the commission. It's a tripartite commission. We have five representatives from the public sector, including Councilman Ameal Moore and Mayor John Hunt, and other councilpersons from throughout the county, five representatives, elected representatives from the low-income sector throughout the county representing each supervisorial district, and five representatives from the private sector. I represent the Central Labor Council, AFL-CIO. It's a good mix of people and we...the meetings normally last an hour and a half. We normally meet in Banning every third Thursday of the month. But at the end of this year, we're going to have a mini-retreat at the Mission Inn in December and one of our commission meetings we hold in Corona or Riverside in November, so I'll contact Don and give you the information, but I extend the invitation to you to attend the commission meeting. Thank you.

CHAIRPERSON HOWE – Thank you.

EXEC. DIR. WILLIAMS – Mr. Chairman, one of the reasons I placed this on the agenda was a couple of months ago, I think Commissioner Huerta made the suggestion that a group – and I don't know if, I think she and Mike Gardner had talked about sort of forming a... sort of a group of commissioners to go out and attend community meetings and sorta have community outreach in that respect. It couldn't be all of us, 'cause then you'd have a meeting, and we don't want to do that, so it'd have to be four or less people. And so I thought that... I didn't get any real...you know, that sorta came suddenly, I didn't get any real feedback, so I thought I'd put this on the agenda to see if there's interest in that sort of thing, how many are interested in doing it, and then also get a little direction and then we can start setting these meetings up as soon as we possibly can. So...maybe Mike or Gloria can sort of expand on what they were talking about or what they were...you know, and then we'll get a little information that way.

COMMISSIONER GARDNER – Gloria and I had talked about some means of better community outreach than only attending Mayor's Night Out and those sorts of things. Not that we shouldn't attend those, but perhaps there are things that we can do in addition to that where the primary subject is what the community is thinking about the Police Department – positive, negative, questions – and we would do our best to absorb that and deal with it. One possibility that we had thought of was, the city has a little spot for Downtown Wednesday Night and that assigned location rotates among various city organizations and perhaps we could sit up there one or two evenings. Or attend other community meetings or groups of, in the community where a significant piece of their agenda might be "What do you think about the Police Review Commission and how can we do better?" And then any of us who would attend those could bring that information back to the Commission for the Commission's consideration and possible action.

CHAIRPERSON HOWE – Bill, you were going to comment?

COMMISSIONER HENDRICK – Yeah. I wanted to mention that Don and I attended one of the Mayor's Night Out's - that was the one in Orangecrest and I was... I don't know if this is typical, but we weren't acknowledged. We weren't introduced. We weren't...no one except my wife and I and Don knew we were there. And it was a well-attended meeting and I was a little disappointed that we weren't at least acknowledged. I came with a stack of the brochures to hand out and we were pretty much...I mean, I talked to the mayor ahead of time, so obviously they knew we were there, and they just sort of glossed right on over us. It was a well-attended meeting; there must have been two or three hundred people there.

EXEC. DIR. WILLIAMS – Normally they do acknowledge us. They give us a chance... I think that was one of those meetings that I was running a little late for and a lot of times... I'm sorta tough to miss... Maybe that's... "Oh yeah, there's Don..." And then if there's a commissioner or two with me, I'll mention you folks too. But that's... Normally they do mention us. I think I've made every one except for one

meeting and, you know, we haven't got a question yet. So there's a lot of...from the police standpoint, there's a lot of satisfied customers out there, at least coming to Mayor's Night Out, which is a good thing for the community.

CHAIRPERSON HOWE – They're more interested in traffic problems.

EXEC. DIR. WILLIAMS – Oh man, yeah! I'm glad I'm not Rick McGrath. But that's... Is this something that you want us to run with then, sort of set up some dates so three or four people can...

COMMISSIONER GOLDWARE – You know what might be helpful – and I know this is probably monumental, but I have to imagine that it's already existing in the city – there's got to be a master calendar where commissions and boards have scheduled meetings and locations, and if that could be printed out, then that kind of information could be given to us at a meeting such as this, and we could say well, two of us could say, "Well, we can make that." I mean to have something set up where you're a month in advance based upon – I can only speak for myself – my calendar changes all the time – but if I can see something in writing and know that there are scheduled events and they fit in, in the near term, 30 – 60 days out, that's something I could work around as opposed to saying, "well, are you going to be available for this in two weeks or are you going to be available in two months."

CHAIRPERSON HOWE – Yeah, and by the same token, there's a lot of community organizations that have set meetings, and how you can get a copy of that, a list of these organizations and their schedules, I don't know you'd go about doing that unless you contact each one individually.

COMMISSIONER GOLDWARE – Excuse me... There's another part of that process besides the city calendar with the related commissions and boards that the city has, I believe – and I'm sure it's not 100% fool-proof – the Chamber of Commerce tries to keep a community calendar, which would take into consideration a lot of these additional groups that Bill's speaking of. So if we looked at that, I mean if we even touched on 10 or 20% of these on an annual basis between the commissioners, that's making some significant headway.

EXEC. DIR. WILLIAMS – Right, right. Well, one of the...to sort of emphasize what we're saying here, I believe it was last week when I was on vacation, Phoebe got a call from a lady regarding the Commission, and she was surprised to find out that we had females and black individuals on the Commission. So that tells you something about how much, you know, of all the press and everything else, they didn't realize we had two females and, you know, that we were as diverse as we were. So, you know, there's work to be done.

VICE-CHAIR BREWER – One thing that concerns me a little bit about this, that this commission puts in a lot of time that the public's not aware of, coming down to review files and listen to tapes. So they put in a lot of hours a month and I think we should have something centralized where meetings we're going to attend, the folks know that we're coming ahead of time and want us there, and we're going to take part in and not just go and sit in the audience for no good reason.

EXEC. DIR. WILLIAMS – Yeah. Well, let us work on that, but I think between the ideas that Nick had there and the resources that he's had and I think the...I think we can work something out where we can do that. There may be some areas where they're more desire – you know, is this really where we want to go – than others. Let us work on that. We can do that, and I think that the idea of a calendar – bring it out as maybe a three-months out calendar – say this is it, and maybe we update it every meeting or whatever because, you know, people who say no the first time may..."Oh, by the way, we don't have a speaker, so we'd like to have somebody" type thing, and we can do that. So it'll be sort of an evolving thing. But, yeah, I think it's a good idea.

VICE-CHAIR BREWER – As a point of interest, I volunteer Don for next January for the Grand Jury Association meeting, you'll be speaking there. So...

EXEC. DIR. WILLIAMS – That's right!

COMMISSIONER HUERTA – I want to say that we...I think – I can't really speak for Mike – but one of the things that we talked about was I've been to a couple different community meetings – some of them where we were acknowledged and they really wanted to talk about what they thought our role was. But a lot of times there's other things on the agenda and my intent was that we would periodically have meetings in the community – one or two or three of us; not the whole commission – or we could as a whole commission if we wanted to go Brown Act – where we would let the public come in and talk to us about their concerns. And that's all that would be on the agenda. Meet your commissioners. Tell us what you like, what you don't like, what can we do different, what are your concerns, what has happened to you or your family. Whether it's valid or invalid to us as a commission, I think it's important that we hear that in that kind of a setting.

EXEC. DIR. WILLIAMS – Yeah. Let us work on it and get something up...together, and we'll get back with you on that.

COMMISSIONER GARDNER – Don, if I could just make one last suggestion. Another good resource is the two ladies who are staff for the Council, Ellie and Corrine. They keep councilmembers calendars and they attend lots of these community meetings. And if you just ask them what some of the meetings that the councilmembers attend are and the timing, that can add to your list of meetings.

EXEC. DIR. WILLIAMS – Also, one thing we've been doing... We're right next door, as most of you know, to the Neighborhoods, Office of Neighborhoods, and so that's a pretty good source. They're sort of getting up to speed and everything now, so their list isn't complete and all, but I know I've had a lot of engagements where I've gone to neighborhood associations and run my little dog-and-pony show through them and it's been well received and that sort of thing. So, you know, there are a number of sources out there of people out there who would like to hear or have a visit from somebody, so that's... Let us work on it and firm it up and just sort of see what we can do with it and...sort of a project we'll take on and do this and get it, hopefully by the August meeting, we'll have something pretty...pretty solid for you.

CHAIRPERSON HOWE – Mr. Garcia, you had a comment?

MR. GARCIA – Mr. Chairman, I forgot to mention something. This is pertinent to this discussion. When we talk about commissioner outreach – you know, this is a city of over 250,000 residents – and the same three or four people come to your commission meetings every month. To me, it tells me one of two things: one, the public is not aware of the Commission's activities and the meetings and the importance of the Commission, or two, they don't care. And I'd like to think the former is true. And I'm wondering if there's any type of outreach aside from the newspaper notification that's usually in small print buried somewhere in the Press-Enterprise, somehow that the word can get out to the public the service that you folks are providing to the City of Riverside. I think it's very important that more residents participate and observe and share their experiences, or just watch you in action. I think your work is very important. So to me, it's a little disheartening for the same folks to be – and not to put down any of the work that these folks are doing, and they bring up very valid issues – but out of 250,000 residents in the city, I'd think we can do better than that. Thank you.

CHAIRPERSON HOWE – Comment?

COMMISSIONER HENDRICK – I just wanted to comment that – I forget what month it was – but I know that the city newsletter that went out, it's a nice...it's mailed to every household in the city – on the second page had a picture of all of the commissioners and had a very nice article. And that was several months ago. The City has done an effort to get the word out to people beyond just a normal press release kind of thing.

VICE-CHAIR BREWER – Well, the Press-Enterprise, of course when we started, had quite a few articles. But unless something goes bad or something bad happens, we're not going to get any more stories, I'm afraid, there.

CHAIRPERSON HOWE – Any more comments before we move to the next agenda item?

COMMISSIONER GARCIA – Yes. There is a section in the newspaper that advertises on weekly meetings, so maybe we can have that put into the newspaper the week before, that we do have a meeting coming up the following week, or early in the week to remind people, or on the weekend.

CHAIRPERSON HOWE – All right. We'll move to Agenda Item 8 – Discuss and vote on the following recommendations to RPD Policy and Procedures. The only recommendation we have tonight is Policy 4.17: Modify the policy to include proper, acceptable responses to other than Code 3 calls. The modified policy should define what type of calls are considered Code 1 and Code 2 calls and the appropriate response to each.

VICE-CHAIR BREWER – Mr. Chairman? The reason we had brought up this particular policy modification stems from some complaints that we've had of officers driving marked units over the speed limit and...but not going on a Code 3 call. So the public didn't understand why. So it would seem if you had a little clearer policy when you check it as to what a Code 2 might be, that might clarify some of the problems.

CHAIRPERSON HOWE – For instance, responding to a...oh...burglary. Maybe it's not a Code 3 call, but it's a get there quick type of a response. And the officer's responding quickly, but no type of lights are flashing. Go ahead, Chief Leach.

CHIEF LEACH – Mr. Chairman. Commissioners. Yeah, many officers think there's such a thing as "Code 2-1/2," which, of course, there isn't. But I just want to mention one thing to you. I really do appreciate the policy recommendations. It's an area that at first we sort of resisted, but after reviewing several, we find tremendous value in citizen input. After reviewing the complaints against police officers and working your way through the complaints and coming to a final classification, picking up something that, you know, sort of culls the investigation, looking at a policy which may be misinterpreted by either the officer or the citizens. It is important, and I appreciate you doing that. Don't always agree, but we certainly give a lot of credibility to your recommendations and have them staffed out very, very carefully. Case in point, the one regarding, several weeks ago regarding abused children and our requirement to take a report in all cases. We appreciate receiving that one and the towing incident.

Regarding the comments of Ms. Shelton - as you know, working our way through the negotiations of the consent decree – that was a tremendous item of negotiation – the role of the involved sergeant that responds to take a complaint. We haven't satisfied that yet. We're still looking at a better way to articulate the use of a sergeant who responds to his or her officers and how a complaint is documented by that sergeant and then later on investigated. As you know, we've just finally agreed with the Attorney General on a consultant, the state consultant, monitor-auditor, if you will. His name is Joe Brann. This is a person who I recommended, so I'm pleased that the Attorney General selected him. A lot of experience in community policing. He'll be back in town this week and we're getting him scheduled to come meet with you later on. But one of the areas in our consent decree really focuses on the Internal Affairs process, and so we need to spend some time at the table with our sleeves rolled up – Don has met him already – and to work on some areas where we see some overlap and maybe some areas of contradiction between what you're charged with doing and what we're required to do under the state-ordered consent decree. So that's coming. I'm delighted with his appointment and look forward to having him meet with you. But I just wanted to stand up and say thank you again for the recommendations to policy. It does alert us to a need for change, not only to protect the officers involved, but also to give, I think, a level of security and satisfaction to our citizens who wonder why we do things the way we do, who wonder why we do drive "Code 2-1/2," when there is no such thing. Thank you for allowing me to talk up to that.

CHAIRPERSON HOWE – Thank you, Chief. Okay, at this time we’re going to adjourn to closed session.

VICE-CHAIR BREWER – We have to vote...

CHAIRPERSON HOWE – Oh, I’m sorry...

VICE-CHAIR BREWER – I move that we adopt policy changes for Policy No. 4.17, as written, as stated.

CHAIRPERSON HOWE – Is there a second?

(Seconded by Commissioners Egson and Garcia)

COMMISSIONER GOLDWARE – Not for adoption, that we recommend...

VICE-CHAIR BREWER – Well, for recommend...

CHAIRPERSON HOWE – Okay, we have a first and a second. Is there any discussion? Ready to vote? All those in favor say “aye.” Opposed same sign. It’s carried. (Unanimous.)

Now we’ll adjourn to closed session. I’d like to thank all the public that came in and spoke – thank you very much.

Closed Session – Chief Leach; Case Reviews

Pursuant to Government Code Section 54957, the Commissioners, with Chief Leach, adjourned to Closed Session at 7 p.m. to discuss issues pertaining to PUBLIC EMPLOYEE PERSONNEL MATTERS.

Pursuant to Government Code Section 54957, the Commission reviewed in Closed Session the following case(s) involving PUBLIC EMPLOYEE PERSONNEL MATTERS:

<u>CPRC CASE NO.</u>	<u>IA CASE NO.</u>
01-033	PC-01-064-124
01-041	PC-01-079-276
01-078	PC-01-150-289

The Commission adjourned at 8:15 p.m.

Respectfully submitted,

PHOEBE SHERRON
Administrative Clerk